

**Maine Board of Optometry  
113 State House Station  
Augusta, Maine 04333**

**MINUTES of February 6, 2026  
BOARD MEETING**

**CALL TO ORDER:** The meeting was called to order at 9:00am by Dr. Smith, O.D. Members present by Zoom: Todd Hamilton, O.D., James Smith, O.D., Timothy Rioux, O.D., Eric Hebert, O.D. James Murphy was present in person.

Others present include Board staff Tina Carpentier, Office Specialist II, Lisa Wilson, Assistant Attorney General, and Suzanne Burke, Assistant Attorney General. One citizen listened in by Zoom.

**OLD BUSINESS:**

The Board approved the minutes of the January 30, 2026, meeting.

**Photo biomodulation Scope of Practice**

The board discussed photo biomodulation, with Dr. Rioux presenting findings that the procedure falls within current optometry scope of practice. Dr. Smith expressed concerns about the procedure's newness and limited human study data. The board approved a motion to inform MOA that photo biomodulation is not excluded from current scope.

The board also addressed LD1803 work session developments, where compromise proposals were presented but no consensus was reached, and discussed a proposed amendment establishing a task force to study optometric practice laws and the state board's funding and staffing adequacy.

**Budget Planning for Staff Transition**

The board then reviewed budget scenarios for Tina's replacement, with two options presented: hiring another Office Specialist II, or upgrading to an executive director position, which would require increasing the state licensing fee from \$600 to approximately \$775. The board needs to decide whether to maintain the current office specialist role or pursue a more senior executive position, which would require legislative approval for the fee increase.

The board discussed a proposal to increase their fee cap to \$1,000 and hire a temporary ED using \$175,000 in reserve funds, but several members expressed uncertainty about the financial implications and availability of funds. The board agreed to schedule a follow-up meeting in three weeks with the budget department to get clarification of the financial details and available funds.

**Temporary Staffing for Tina's Retirement**

The board discussed Tina's upcoming retirement and the need for temporary coverage, approving a motion to contract with a temp agency for a 3-month period starting 6 weeks before Tina's departure in July. They also agreed to postpone discussions about job descriptions and budget details to a future meeting, with Tina tasked to gather relevant information ahead of time. The board expressed concerns about funding and the need to make decisions about Tina's replacement position without raising fees.

### **Office Space**

The board approved securing new office space at 109 Capitol Street, which Tina had found and negotiated at \$2,913 per year, significantly cheaper than other options. The space is located in the new Department of Health and Human Services building and includes necessary amenities like phone lines and VPN access.

### **Foreign Optometrist Licensing Review**

The board discussed sponsoring a foreign-trained optometrist to sit for the NBEO exam, noting their ability to sponsor exam participation per ARBO regulations. The board reviewed their statutory authority to waive licensing requirements if an applicant demonstrates equivalent qualifications and meets board satisfaction criteria. The discussion concluded with confirmation that the applicant seeks to practice in the state, though specific training details were not provided.

Dr. Hamilton expressed concerns about the equivalency of the 6-year international education program. The board voted 2-3 against immediately rejecting all foreign sponsorship requests and instead decided to investigate the specific case by requesting more information from the applicant and verifying the program's equivalency through ARBO. This request was tabled.

### **Complaint**

The board addressed a complaint, 2025-OPT-20897, regarding a patient's dissatisfaction with not receiving a referral for sagging eyelids. The board voted to dismiss the complaint, finding no violation of standards of care.

The meeting ended with announcements about the upcoming website launch and license renewal notices, and a tribute to Tina's retirement after her final meeting in May.